

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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|------------------------------------|---|------------------------|
| MELVIN LEE JOHNSON, Petitioner, | : | PRISONER HABEAS CORPUS |
| | : | 28 U.S.C. § 2254 |
| | : | |
| v. | : | |
| | : | |
| GLEN JOHNSON, Respondent. | : | CIVIL ACTION NO. |
| | : | 1:12-CV-2234-AT-LTW |

FINAL REPORT AND RECOMMENDATION

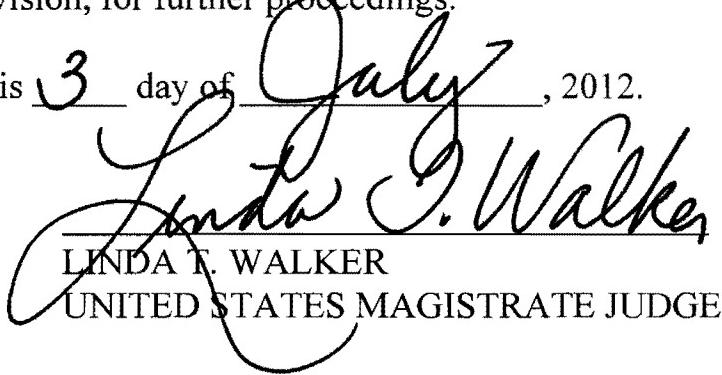
Petitioner is confined at Hancock State Prison in Sparta, Georgia. (Doc. 1 at 1.)

Petitioner, pro se, seeks a writ of habeas corpus under 28 U.S.C. § 2254 regarding his 2010 criminal convictions in the Superior Court of Randolph County, Georgia. (*Id.*)

A state prisoner may file a habeas petition in the federal district within which the prisoner was convicted or in the federal district within which the prisoner is confined. 28 U.S.C. § 2241(d). However, it is the long-standing policy and practice of the United States District Courts for the Middle, Northern, and Southern Districts of Georgia to transfer all habeas petitions to the district within which the state prisoner was convicted. Adherence to this practice and policy allows each district court to consider habeas matters coming only from state courts within its jurisdiction and ensures an equitable distribution of habeas cases between the districts of this State.

The place of Petitioner's conviction – Randolph County – is within the jurisdiction of the U.S. District Court for the Middle District of Georgia, as is the prison where Petitioner is confined. Consistent with the policy and practice of the federal district courts in Georgia, the undersigned **RECOMMENDS** that the Court **TRANSFER** this habeas corpus action to the U.S. District Court for the Middle District of Georgia, Columbus Division, for further proceedings.

SO RECOMMENDED, this 3 day of July, 2012.


LINDA T. WALKER
UNITED STATES MAGISTRATE JUDGE